

The Village of Northfield

REGULAR COUNCIL MEETING

September 10, 2014

Agenda

PLEDGE OF ALLEGIANCE

CALL TO ORDER; ROLL CALL

APPROVAL OF MINUTES

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES:

Speaker Lori Pesci, Senior Administrator for Public Safety to speak about Issue 12-sales tax.

REPORTS OF MUNICIPAL OFFICERS:

- | | |
|-------------------------------|-----------------|
| A. MAYOR: | JESSE J. NEHEZ |
| B. FINANCE DIRECTOR: | TIMOTHY CLYMER |
| C. ENGINEER: | RICHARD WASOSKY |
| D. LAW DIRECTOR: | BRADRIC BRYAN |
| E. DEPARTMENT HEADS: | |
| 1. POLICE CHIEF: | MARK WENTZ |
| 2. FIRE CHIEF: | JASON BUSS |
| 3. SERVICE/BLDG. DEPT. SUPT.: | JASON WALTERS |

REPORTS OF MUNICIPAL BOARDS AND COMMISSIONS:

- | | |
|-------------------------|----------------------|
| A. PLANNING COMMISSION: | ALAN E. HIPPS |
| B. RECREATION BOARD: | MAYOR JESSE J. NEHEZ |

REPORTS OF STANDING COMMITTEES:

- | | |
|----------------------------------|-------------------|
| A. FINANCE: | LINDA BOWEN |
| B. ROADS/PUBLIC WORKS: | ETHAN MILADINOVIC |
| C. HEALTH AND WELFARE: | GARY VOJTUSH |
| D. BUILDINGS & GROUNDS: | ALAN E. HIPPS |
| E. WAGES AND WORKING CONDITIONS: | NICK MAGISTRELLI |
| F. FIRE AND SAFETY: | BEATRICE GREENLEE |

LEGISLATION:

Ordinance 2014-49-An emergency Ordinance amending section 1444.01-1444.03 of the point of sale exterior inspection ordinance.

Ordinance 2014-50-An emergency Ordinance establishing Chapter 1446 of the Building and Housing Code relating to rental certificates for rented single-family dwellings.

Resolution 2014-51-An emergency Resolution authorizing the Mayor to enter into a contract with Kokosing Construction Company, Inc., for the milling and paving Chestnut Avenue from Electric Blvd., to Rt. 8.

Ordinance 2014-52-An emergency Ordinance amending Chapter 1490 of the Building and Housing code relating to maintenance standards.

OLD BUSINESS; NEW BUSINESS; ANNOUNCEMENTS; ADJOURNMENT

VILLAGE OF NORTHFIELD ORDINANCE NO. 2014- 49
AN EMERGENCY ORDINANCE AMENDING SECTIONS 1444.01-1444.03 OF THE
POINT OF SALE EXTERIOR INSPECTION ORDINANCE

WHEREAS, the Mayor, Council, and Building and Zoning Department want to make certain clerical corrections to the point of sale exterior inspection ordinance and extend the ordinance to all properties in the Village, not just single-family residential properties; and

WHEREAS, Council desires to amend Sections 1444.01-1444.03 of the Building and Housing Code relating to point of sale exterior inspections.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Sections 1444.01-1444.03 of the Building and Housing Code as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it will assist with the preservation of property values in the Village, and that this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

1444.01 HOME SALES; CERTIFICATE REQUIRED; PRESENTATION TO BUYER; CONTENTS OF CERTIFICATE.

The owner of any ~~single-family residential building~~, structure or premises entering into an agreement to sell or otherwise convey an interest in such building, structure or premises shall obtain from the Building and Zoning Inspector a Certificate of Exterior Inspection, and present such bona fide Certificate or an exact copy thereof to any prospective purchaser or grantee prior to the time of transfer of title to the purchaser. The Certificate shall list thereon all known violations of ~~Chapter 1476~~ the Building and Housing Code as well as other informational material related to such inspection.

1444.02 APPLICATION FOR AND ISSUANCE OF CERTIFICATES; ORDERS TO CORRECT; NONCOMPLIANCE; EFFECTIVE PERIOD OF CERTIFICATES.

(a) Application for a Certificate of Exterior Inspection required by the provisions of this chapter shall be made by the owner or an agent for the owner of the building, structure or premises to be sold. The owner or occupant thereof shall, upon the filing of the application, permit the Building and Zoning Inspector or any authorized Building Inspector of the Building Department access to the real property upon request during the hours of 9:00 a.m. to 8:00 p.m., Monday through Saturday of each week, except legal holidays, for the purpose of making exterior inspection of the land, building or structure. The failure to permit access to the real property for said exterior inspection during the period provided for herein and upon identification of the Inspector(s) shall be deemed a violation of this chapter.

(b) The following schedule for issuing a Certificate shall be followed, except where a longer period is required because of causes beyond the control of the Village:

(1) Within ten working days after receipt of the application and required fee, the Building and Zoning Inspector or any authorized Building Inspector of the Building Department shall cause an exterior inspection of the designated property to be made.

(2) The Building and Zoning Inspector shall then issue a Certificate within five working days of gaining access to the subject property, which Certificate shall contain the following information:

A. The street address, permanent parcel number or other identifying characteristics of the property;

B. The name and address of the owner of the property; and

C. A list of violations of the maintenance standards contained in ~~Chapter 1476~~ the Building and Housing Code of these codified ordinances existing at the time of the exterior inspection, if any.

(c) Except in the case of danger to the health or safety of the public, the Certificate shall contain an order from the Building and Zoning Inspector to correct any Building or Housing Code violations noted on the Certificate, which shall be corrected by the owner of the property within sixty days of the issuance of the Certificate, unless, for good cause shown, the Building and Zoning Inspector has extended the time for compliance.

(d) If the owner of the property does not correct the violations enumerated in the Certificate prior to the time the title is transferred to the purchaser, then the purchaser will be required to correct the violations contained in the Certificate of Exterior Inspection within the time allotted in the notice given to the prior owner or as extended by the Building and Zoning Inspector.

(e) If, pursuant to subsection (d) hereof, the title to the property is transferred prior to the correction of the violations enumerated in the Certificate to the Village's satisfaction, there shall be deposited in escrow, prior to transfer, a written statement agreed to by the owner and the purchaser setting forth their respective responsibilities for correcting the violations enumerated in the Certificate which remain uncorrected and setting forth the sum of money which is sufficient to correct the respective violations.

(f) Nothing in this chapter shall be construed as limiting the authority of the Village, at any time, to proceed against the current owner of record to require corrections of the Code violations.

(g) The Certificate shall be valid for a period of one year from the date of issuance, unless an extension is approved by the Building and Zoning Inspector. In case of resale within the one year period, the Certificate shall be transferred to any subsequent bona fide purchaser and shall be valid for the remainder of the period.

1444.03 COMPLIANCE DOCUMENT

(a) At the request of the property owner or his or her agent, the Village shall issue a letter or other written document signed and dated by the Building and Zoning Inspector stating that the violations listed on a specific Certificate of Exterior Inspection have been corrected to the Village's satisfaction.

(b) At the request of the property owner or his or her agent, the Village may issue a letter or other written document signed and dated by the Building and Zoning Inspector stating that some, but not all, of the violations listed on a specific Certificate have been completed to the Village's satisfaction.

VILLAGE OF NORTHFIELD ORDINANCE NO. 2014-50
AN EMERGENCY ORDINANCE ESTABLISHING CHAPTER 1446 OF THE BUILDING
AND HOUSING CODE RELATING TO RENTAL CERTIFICATES FOR RENTED
SINGLE-FAMILY DWELLINGS

WHEREAS, in order to assist with preserving housing stock and property values in the Village and the appearance of the Village's residential neighborhoods, the Mayor, Council, and Building and Zoning Department want to establish an exterior maintenance inspection program for single-family rental properties in the Village; and

WHEREAS, Council desires to establish Chapter 1446 of the Building and Housing Code relating to institute such program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby establishes Chapter 1446 of the Building and Housing Code, as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it will assist with the preservation of property values and improving the appearance of residential neighborhoods in the Village, and that this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

CHAPTER 1446
Rental Certificate for Single-Family Residential Dwellings; Exterior
Inspection Rental Certificate for Rented Single-Family Dwellings

1446.01 RENTAL CERTIFICATE.

On or after July 1, 2015, no single-family residential dwelling structure shall be rented or presently occupied under a rental agreement, whether written or oral, unless the Building and Zoning Inspector has issued to the owner or authorized agent of the property owner, a Rental Certificate and Exterior Inspection Rental Certificate. Rental Certificates shall be effective until June 30 of the year after the year in which the Rental Certificate is issued.

(a) In order to obtain a Rental Certificate, the owner of the property, or his, her, or its authorized agent, shall, prior to May 1, 2015 and May 1 of each subsequent year, or 60 days prior to the commencement of a lease term for properties to be first rented after July 1, 2015, submit a completed Rental Certificate Application, which includes a request for an Exterior Inspection or statement that such inspection is not required pursuant to the requirements of this chapter, on the Rental Certificate Application form available from the Building and Zoning Department, along with the required application fee in the amount of \$100.00. The above fee will cover the Rental Certificate Application fee, the initial property inspection, and the first inspection to ensure compliance as to violations noted on the original inspection report. The fee for any required subsequent inspections pertaining to that year's application shall be \$25.00.

(b) On or after July 1, 2015, any owner of property being rented to a tenant that is not in possession of a current Rental Certificate shall be in violation of this chapter.

(c) Upon receipt of the fully completed application and fee by the Building and Zoning Department, an Exterior Rental Certificate inspection shall be scheduled and conducted within 30 days.

(d) The Building and Zoning Inspector shall issue an inspection report within five working days of the date of inspection listing any violations of the maintenance standards contained in the Municipality's Building and Housing Code existing at the time of the exterior inspection, if any.

(e) Upon completion of the rental inspection, any noted violations posing a risk to the safety of any person occupying the property shall be corrected prior to the issuance of the Exterior Inspection Rental Certificate.

(f) If no violations or minor violations are noted from the inspection, an Exterior Inspection Rental Certificate will be issued, permitting the property to be rented in compliance with this ordinance.

(g) The Building and Zoning Inspector will provide compliance dates for minor violations noted on the inspection report. In the event the violations are not corrected by the compliance dates indicated on the report, the Exterior Inspection Rental Certificate may be revoked by the Building and Zoning Inspector.

(h) Properties that are rented subsequent to July 1, 2015 that were not granted Rental Certificates prior to July 1, 2015 must apply for a Rental Certificate at least 60 days prior to the commencement of a lease and receive a Rental Certificate

and Exterior Inspection Rental Certificate prior to tenants moving into the property. Applications not filed prior to the May 1 deadline, or filed subsequent to 60 days prior to the tenant moving into the property shall be charged an additional \$150.00 on top of the \$100.00 application fee.

(i) The requirements of this chapter shall not relieve the property owner from his, her, or its obligation to obtain a Point of Sale Exterior Inspection Certificate in connection with a sale of the property. The receipt of a Point of Sale Exterior Inspection Certificate shall relieve the property owner from his, her, or its obligation to obtain an Exterior Inspection Rental Certificate for the calendar year in which the Point of Sale Exterior Inspection Certificate is issued and the year thereafter.

1446.02 RENTAL CERTIFICATE APPLICATIONS.

(a) Rental Certificate applications shall be made annually as set forth above and separately for each home being rented. The information supplied on the application shall include, but not be limited to, the following:

- (1) The address of the property.
- (2) The name, street address, telephone number of the owner of the property and any authorized agent acting in the owner's stead.
- (3) A photocopy of the owner of the property or authorized agent's driver's license or State ID.
- (4) If the property owner is an entity rather than a person, the title of the person submitting the application and the person responsible for tenant issues related to the property.
- (5) The information required by chapter 896 of the Business Regulation Code.
- (6) The signature of the person submitting the application and the date the application is executed.
- (7) Such other information reasonably deemed necessary by the Building and Zoning Inspector.

(b) The Building and Zoning Inspector may revoke a Rental Certificate if it is discovered that any statement contained in the application is false or inaccurate.

(c) In the event that there is a change in the person or persons occupying the rental unit between the date the Rental Certificate was issued and the next Rental Certificate Application is filed, the property owner is required to file an updated report regarding the change in tenants as required by Chapter 896 of the Village's Business Regulation Code.

1446.03 RELIANCE ON RENTAL CERTIFICATE AND EXTERIOR INSPECTION RENTAL CERTIFICATE.

In issuing a Rental Certificate and Exterior Inspection Rental Certificate under this chapter, the Village does not thereby insure, warrant or guarantee to the holder thereof, any tenant of the dwelling, or any other interested party, that such certificate contains all of the violations of the Codified Ordinances of the Village. Such Certificates should be considered by all parties as the Village's best effort to make known to property owners and tenants of rented single-family dwellings the known exterior maintenance violations on the property at the time the exterior inspection is made and

have such identified violations corrected. The language contained in this subsection, or a digest thereof, shall be contained in each Certificate.

1446.99 PENALTY.

Any owner of single-family residential property, or agent thereof, who is required to obtain a Rental Certificate and/or an Exterior Inspection Rental Certificate pursuant to this chapter and fails to obtain such certificate, is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars or imprisoned not more than thirty days for each offense.

VILLAGE OF NORTHFIELD RESOLUTION NO. 2014- 51

**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH KOKOSING CONSTRUCTION COMPANY, INC. FOR THE
MILLING AND PAVING CHESTNUT AVENUE FROM ELECTRIC BLVD. TO RT. 8**

WHEREAS, Kokosing Construction Company, Inc. ("Kokosing") is presently repaving Northfield Road for the State of Ohio; and

WHEREAS, as a result of the above, the Village is able to receive an extremely beneficial price to grind and repave Chestnut Avenue from Electric Blvd. to Northfield Road, a stretch of roadway that is in serious need of repair; and

WHEREAS, Council desires to authorize the Mayor to enter into a contract with Kokosing to grind and repave Chestnut Avenue from Electric Blvd. to Northfield Road.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Mayor is hereby and herein authorized to enter into a contract with Kokosing to grind and repave Chestnut Avenue from Electric Blvd. to Northfield Road. The amount to be paid by the Village to Kokosing for this work shall be \$49,580, as set forth in the proposal that is attached hereto and incorporated herein by reference.

SECTION 2. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it will authorize repaving a road in the Village that is in serious need of repair, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council



Kokosing Construction Company, Inc.

13700 McCracken Rd

Cleveland, OH 44125

Contact: John Sheeler

Phone: (216) 587-4900

Fax: (216) 587-4366

Date: 9/5/14
Job Name: Chestnut Ave - Northfield Vlg
Addenda:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
160	3" PAVEMENT PLANING, ASPHALT	2,525.00	SY	3.95	9,973.75
180	TACK COAT, TRACKLESS TACK	190.00	GAL	4.00	760.00
190	TACK COAT, TRACKLESS TACK INT CRSE	130.00	GAL	4.00	520.00
200	1.75" ASPH INTER T2, PG64-22	125.00	CY	151.00	18,875.00
210	1.25" 448 T1 ASPH SURFACE, PG70-22M, APP	95.00	CY	204.75	19,451.25
GRAND TOTAL					\$49,580.00

NOTES:

Price is based on doing this work with our current work on SR-8. Agreement needs to be made by Monday at noon September 8, 2014 to be able to do this work at these prices.

Maintenance of traffic is included.

Price does not include repairs to failed subgrade, if required. No asphalt curb included.

No pavement markings or striping included.

Proposal is limited to items quoted.

Payment terms are net 30 days.

If required, casting adjustments will be billed at \$650.00/each.

Accepted by: _____

Date: _____

VILLAGE OF NORTHFIELD ORDINANCE NO. 2014- 52

**AN EMERGENCY ORDINANCE AMENDING CHAPTER 1490 OF THE BUILDING
AND HOUSING CODE RELATING TO MAINTENANCE STANDARDS**

WHEREAS, in order to assist with preserving housing stock and property values in the Village and the appearance of the Village's residential neighborhoods, the Mayor, Council, and Building and Zoning Department want to amend Chapter 1490 of the Building and Housing Code relating to maintenance standards.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Chapter 1490 of the Building and Housing Code, as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it will assist with the preservation of property values and improving the appearance of residential neighborhoods in the Village, and that this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

CHAPTER 1490

Maintenance Standards

1490.01 RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

(a) Owners. The owner of every human habitation, building, structure or premises shall be responsible for maintaining it in a clean and sanitary condition and in compliance with this chapter.

(b) Occupants. The occupant of any human habitation, building, structure or premises shall also be responsible for maintaining in a clean and sanitary condition and in compliance with this chapter, the parts of the habitation, building, structure or premises which he or she occupies or controls.

1490.015 ADDRESS MUST BE VISABLE FROM STREET.

Homeowners and occupants are responsible for posting the address of the home in a manner that is visible from the street and in compliance with the requirements set forth in chapters 1474 and 1475 of the Building and Housing Code.

1490.02 GENERAL MAINTENANCE REQUIREMENTS.

(a) All human habitations, buildings and other structures, and all parts thereof, both exterior and interior, shall be maintained in good repair and shall be capable of performing the function for which the structure, or part or any feature thereof, was designed or intended to be used.

(b) All equipment and facilities appurtenant to such structures shall be maintained in good and safe working order.

1490.025 MAIN SANITARY SEWER LINES.

The main sanitary sewer line on the property running into any structure shall be maintained in a structurally sound condition and in good repair and shall not be broken, cracked, or infested with tree roots.

1490.03 FOUNDATIONS.

(a) All foundations of any human habitation or of any building shall be maintained in a structurally sound condition and in good repair.

(b) All foundations of any human habitation or of any building shall be maintained in such condition as to prevent seepage or leakage of water into the space enclosed within such foundations.

(c) All openings into the foundations of any human habitation or of any building shall be protected against the entrance of rodents.

(d) Where parts of any human habitation and of any building supported on masonry piers require substantial repair or replacement due to sagging, settling, or

failure of supporting piers, the same shall be replaced with a foundation conforming to the Building Code of the Village.

1490.035 MAIN ELECTRIC LINES.

The main electric line on the property running into any structure shall be maintained in a structurally sound condition and in good repair and working order.

1490.04 ROOFS, GUTTERS AND DOWNSPOUTS.

(a) All roofs of any human habitation and of any building shall be maintained weathertight and in a structurally sound condition and good repair, and roof drainage shall be handled by suitable collectors and downspouts that are in sound condition and good repair that are connected to a public storm sewer. Where a storm sewer or other storm drainage outlet is not available, downspouts may discharge onto splash blocks or other devices, provided that no excess water will flow onto adjoining property or over sidewalks. Connection of any pipe carrying roof water or yard drainage to a sanitary sewer is prohibited.

(b) Notwithstanding the requirement for gutters to be connected to a public storm sewer set forth in subsection (a) hereof, gutters may be connected to rain barrels upon receipt of prior written approval from the Building and Zoning Inspector for a rain barrel connection at that specific address.

1490.045 STORAGE AREAS.

All human habitations shall have a garage or shed on the property in conformance with the Village's Codified Ordinances that is capable of properly storing garbage and rubbish between garbage pick-up days.

1490.05 MAINTENANCE OF EXTERIORS.

(a) All exterior walls of any human habitation and of any building shall be maintained weathertight, in a structurally sound condition and good repair, ~~so as to resist~~ and capable of resisting decay or deterioration from any cause.

(b) Any human habitation, building, fence or other structure whose exterior surface is bare, deteriorated, decayed, disintegrated or in poor condition must be repaired or razed.

- (1) All buckled, broken, rotted or decayed walls, doors, windows, porches, fences, floors, steps, railings, posts, sills, trim and their missing members must be replaced and put in good condition.
- (2) All replacements must match and conform to the original design or be replaced completely.
- (3) All exterior wood or exterior unfinished surfaces must be sealed and painted, or the surface covered with other approved protective coating, or treated to prevent rot and decay, and conform to and match the existing paint or surface covering and the original design or a replacement thereof. All exterior walls and surfaces must be properly protected against the weather where such are defective or

lack weather protection, including lack of paint or surface covering, or have deteriorated due to lack of proper protective covering.

(c) Any human habitation, building or structure whose exterior surface is deteriorated, decayed or disintegrated, or whose exterior surface is weathered with dirt and or grime, or has been impaired through peeling or flaking of the paint or other protective coating, shall be replaced, repaired, repainted or resurfaced.

- (1) All exterior surfaces shall be replaced or repaired in good condition before repainting or coating.
- (2) All bare exterior surfaces which are flaking or crumbling shall be replaced or sealed in a good, workmanlike manner.
- (3) All new or repaired bare surfaces shall be painted or coated.

1490.055 DRIVEWAYS, WALKWAYS AND PUBLIC SIDEWALKS.

All driveways shall be concrete or asphalt and conform to the requirements set forth in sections 1266.07 and 1442.14 of these Codified Ordinances. All driveways, parking areas, public sidewalks, and private walkways shall be in good condition and sound repair and free of holes, cracks, deteriorated sections, or trip hazards.

1490.06 INFESTATION BY PETS.

All premises shall be maintained free from sources of breeding, harborage and infestation by insects, vermin or rodents.

1490.065 TREES AND SHRUBS.

(a) Trees and shrubs on residential property shall be maintained in living condition and free of disease.

(b) Trees and shrubs that are dead, diseased, or have fallen shall be removed from the property.

(c) Trees or shrubs that are in such condition that they are causing damage to or posing a danger to any structure on the property on which they are situated or causing damage or posing a danger to any neighboring property, shall be removed or trimmed so as to reasonably abate the damaging or dangerous condition.

(d) Trees and shrubs that are overgrown and untrimmed shall be cut back and trimmed so as not to be unsightly or cause a nuisance to the property on which they are located or neighboring properties.

1490.07 CONTAINMENT OF TRASH AND DEBRIS AT CONSTRUCTION SITE.

(a) All trash and debris associated with or resulting from construction of either residential, commercial or industrial structures shall be contained on the construction site in a stable and secure enclosure approved by the Building and Zoning Inspector. The building permit holder shall maintain the enclosure and site so as to control litter and debris at all times and remove and dispose of the debris in a an approved landfill. The enclosure shall be kept behind or within the structure unless it is not accessible for disposal. In the event it is not accessible for disposal, the enclosure shall be placed in

the least visible accessible location, which shall be determined by the Building and Zoning Inspector. The enclosure shall be removed from the site prior to the issuance of the occupancy permit.

(b) Violations occurring as a result of noncompliance with the provisions of subsection (a) hereof may result in the issuance of a stop-work order until the site is brought into compliance.

1490.075 EXTERIOR PROPERTY AREAS.

(a) No owner, operator or tenant of any premises shall maintain or permit to be maintained at or on the exterior property areas of such premises any condition which deteriorates or debases the appearance of the neighborhood or creates a fire, safety or health hazard, including, but not limited to, the following:

- (1) Broken or dilapidated fences, walls or other structures;
- (2) Broken, uneven or improperly maintained walks or driveways;
- (3) Unusable, dilapidated, appliances, trailers, motor vehicles and parts thereof, and boats, and
- (4) Rags, rugs or other materials hung on lines or in other places on such premises, which materials are not being used for general household or housekeeping purposes; broken, dilapidated or unusable furniture, mattresses or other household furnishings; plastic materials, paints, miscellaneous coverings or any other materials, including those described in this section, placed at or on the premises in such a manner as to be patently unsightly, grotesque or offensive to the senses.

(b) Each owner, operator, or tenant of any premises shall maintain his or her lawns and landscaping so as to not constitute a blighting or deteriorating effect on the neighborhood, and shall not permit weeds or grass to exceed eight inches in height.

(c) In the event the Building and Zoning Inspector determines that an owner, operator or tenant is in violation of this section, the Building and Zoning Inspector shall notify the offender that the violation shall be remedied within ten days a period of time specified by the Building and Zoning Inspector in the violation notice, which shall be not less than 3 days nor more than 90 days, based upon the nature of the violation and the reasonable amount of time needed to remedy the violation. ~~If the Building and Zoning Inspector determines that ten days is not sufficient time in which to remedy the violation, the Building and Zoning Inspector may give the offender up to sixty days to remedy the violation.~~ If the property is not brought into compliance within the time specified by the Building and Zoning Inspector, the owner, operator or tenant shall be deemed to be in violation of this section. Citations for repeat violations of a similar nature on a particular property within a period of one year may be issued in the absence of service of a violation notice.

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